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January 16, 2020

**VIA ECF and FEDEX**

Honorable Edward S. Kiel,  
United States Magistrate Judge  
Martin Luther King Bldg. &  
United States Courthouse  
50 Walnut Street, Courtroom PO 08  
Newark, New Jersey 07101

**Re: *Wael Hana v. United States*, 20-cv-536 (CCC) (ESK)**

Dear Judge Kiel:

This Firm represents Wael Hana in the above captioned-matter, which we understand has today been newly assigned to the Honorable Claire C. Cecchi, United States District Judge, and to Your Honor. On January 14, 2020, Mr. Hana filed a motion seeking the return of property that was seized by the Government from his New Jersey residence and business. *See* Dkt. Nos. 1-2. Consistent with Your Honor's judicial preferences, we are forwarding a courtesy copy of Mr. Hanna's application to Your Honor's chambers under cover of this correspondence.<sup>1</sup> Earlier today, the Government wrote to Your Honor and requested permission to file its response by February 4, 2020. Given the lapse of time since the seizure of these items, and the Government's refusal to return any of them, to provide any realistic basis for not doing so, or even to provide a time frame by which some or all of them would be returned, as was promised, Mr. Hana respectfully requests that the Court instead expedite proceedings in this matter, or, in the alternative, schedule a telephone conference on an expedited basis to address the issue of scheduling such proceedings.

Because the Government's actions in holding Mr. Hana's property indefinitely, without the process that would be available should it have brought this matter before the Court, either by charging him or bringing a forfeiture action is unlawful and unconstitutional, and based upon Mr. Hana's urgent need for these materials, as set forth in his Motion and supporting documents, Mr. Hana respectfully requests that the Court hear and decide this matter as quickly as possible. Specifically, he opposes the prolonged scheduled suggested by the Government and respectfully requests that the Government be required to file its response on or before January 21, 2020, with any reply by Mr. Hana filed on or before January 24, 2020.

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<sup>1</sup> Federal Rule of Criminal Procedure 41(g) requires that Mr. Hana's motion for return of property from the Government be made in the district where the items were seized. His application includes the following documents: (1) Notice of Motion; (2) Brief in Support of Motion for the Return of Property pursuant to Federal Rule of Criminal Procedure 41(g); (3) Declaration of Wael Hana; (4) Declaration of Lawrence S. Lustberg; (5) Proposed Order; and (6) Declaration of Service.

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Honorable Edward S. Kiel, U.S.M.J.  
January 16, 2020  
Page 2

Please feel free to contact me if Your Honor has any questions or concerns. Thank you for your kind consideration of this matter.

Respectfully submitted,

s/Lawrence S. Lustberg  
Lawrence S. Lustberg, Esq.

Enclosures

cc: Jason A. Richman, AUSA (via ECF and Email without enclosures)  
Gillian Grossman, AUSA (via ECF and Email without enclosures)